

REMARKS/ARGUMENTS

Applicant affirms its election of Species A, claim 43. The remaining claims 44-63 have been canceled.

In the Office action, claim 43 was rejected as being anticipated by Mathews (5,431,170). Mathews uses a detection of a noise signal to cancel out the noise from another signal, which is then used to determine pulse rate or oxygen saturation.

The present invention, on the other hand, uses the motion signal directly to calculate oxygen saturation. It does not use it to cancel out the motion from another signal. See, e.g., the description in the Summary on page 5, lines 27-35. Claim 43 has been amended to clarify this distinction, and to specifically refer to the slope of the motion signal being used in an algorithm to calculate the blood property.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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